

REMARKS

In the outstanding official action, claims 2-5 were indicated to be allowable if placed in independent form, while claims 1 and 7-9 were rejected under 35 USC 102(b) as being anticipated by Masaru and also as anticipated by Hideo, with dependent claim 6 being rejected under 35 USC 103(a) as unpatentable over Masaru and Hideo in further view of Official Notice, all for the reasons of record.

In response, independent claims 1 and 9 are herewith amended in order to more particularly and precisely define and distinguish the instant invention, and it is respectfully submitted that the currently-pending claims, as herewith amended, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below. Accordingly, allowable claims 2-5 have not been placed in independent form at the present time, pending a final determination of the patentability of the remaining claims.

With regard to the §102 rejection citing Masaru, it is noted that the Masaru reference is clearly distinguishable at least in that a separate temperature sensor 11 is provided to detect the temperature of the magnetic head. The temperature sensor output is used to generate a display of magnetic head temperature, to shut

off the power supply to the magnetic head, or stop the operation of the device. In the instant invention, on the contrary, a temperature parameter is determined as a function of the resistance value of the coil, thus avoiding the use of a separate temperature sensor component as in Masaru, and a temperature stop signal is generated which stops the supply of data to the control means when the temperature parameter has exceeded a given value. In this manner, a simpler, more sophisticated and less costly control function is provided.

With respect to the Hideo anticipation rejection, this reference is clearly patentably distinguishable at least in that the stated purpose of Hideo is to detect an abnormality of an electromagnetic coil, not to determine a temperature parameter as now more specifically and precisely claimed, and when such an abnormality is detected the coil is disconnected or the current supply to the coil is interrupted, rather than stopping the supply of data to the control means or stopping the control of the coil current as presently claimed.

With regard to the \$103 rejection of claim 6, it is noted that this claim depends from and further limits the subject matter of claim 1, and is therefore likewise patentable for the reasons enumerated above.

In view of the foregoing amendments and arguments, it is respectfully submitted that the currently-pending claims, as herewith amended, are now clearly patentably distinguishable over the cited and applied references. Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 

Steven R. Biren, Reg. 26,351
Attorney
(914) 333-9630